

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

BOLLENBACH ENTERPRISES LIMITED
PARTNERSHIP,
on behalf of itself and all others similarly
situated,

Plaintiff,

vs.

OKLAHOMA ENERGY ACQUISITIONS LP;
ALTA MESA SERVICES, LP; and ALTA
MESA HOLDINGS, LP
(including affiliated predecessors and affiliated
successors),

Defendants.

Case No. 5:17-CV-00134-HE

**MOTION FOR DISTRIBUTION OF FINAL UNDISTRIBUTED FUND
AND TERMINATION OF CLASS LAWSUIT**

Class Representative Bollenbach Enterprises Limited Partnership moves the Court to enter an order distributing the Final Undistributed Funds and terminating this Class Lawsuit.¹ In support of this Motion, Class Representative states as follows:

1. Paragraph 1.10 of the Amended Settlement Agreement provides:

Final Undistributed Fund shall equal the sum of the following which remain in the Bollenbach Settlement Account: (a) Uncashed Class Member Distribution Checks; (b) proceeds allocated to Unlocated Settlement Class Members; and (c) Undistributed Proceeds. The Final Undistributed Fund shall not include Monies Payable to Opt-Outs. The Court shall determine the proper disposition of any remaining portion of the Final Undistributed Fund after receiving input from Settlement Class Counsel as to suggested recipients of the remaining portion of such fund.

¹ Capitalized terms in this Motion have the same meaning as given them in the Amended Settlement Agreement, Document No. 42-4.

2. The Settlement Administrator declares that \$172,666.92 remains in the Bollenbach Settlement Account for distribution as the Final Undistributed Fund. Declaration of Jennifer M. Keough Regarding Distribution of Settlement Proceeds [Doc. 68] at ¶¶ 14 & 17.

3. Settlement Class Counsel suggests the Final Undistributed Fund be distributed to the following recipients in the amounts shown:

<p>Oklahoma State University Division of Agricultural Sciences and Natural Resources http://dasnr.okstate.edu</p> <p>Oklahoma State University Foundation 400 South Monroe Stillwater, OK 74074 Telephone: 1-800-622-4678 Email: info@osugiving.com</p> <p>To enable research and education on Oklahoma's development of energy resources.</p>	\$50,000.00
<p>Northwestern Oklahoma State University</p> <p>Northwestern Foundation & Alumni Association 709 Oklahoma Blvd Alva, OK 73717 Telephone: (580) 327-8598 Email: smengelken@nwosu.edu</p> <p>To enable education on oil and gas accounting or petroleum engineering</p>	\$50,000.00
<p>University of Oklahoma College of Law Andrew M. Coats Hall 300 Timberdell Road Norman, OK 73019</p> <p>Casey T. Delaney, Assistant Dean of External Affairs Stephen S. Gensler, Associate Dean of Research and Scholarship</p> <p>To support its concentration in Oil and Gas, Natural Resources, and Energy Law and continued support of OU Law Professor Steven Gensler's <i>Federal Rules of Civil Procedure, Rules and</i></p>	\$50,000.00

<i>Commentary (2018 edition)</i> , which is used nationwide by courts including in class action litigation.	
Kingfisher County Charity Center of Family Love P.O. Box 245 Okarche, OK 73762 Telephone: (405) 263-4658, ext. 1012 Email: communityrelations@cflinc.org https://centeroffamilylove.org To support its efforts to provide quality lifetime care to individuals with developmental disabilities in Kingfisher County, Oklahoma.	\$22,666.92

4. These recipients represent three institutions of higher learning that prepare and educate graduates for careers in Oklahoma with many working in the oil and gas and natural resource industries, and one charitable organization serving the needs of the community where all leases at issue in this case are located in Kingfisher County, Oklahoma.

5. With only the distribution of the Final Undistributed Fund remaining, Class Representative also moves the Court for an order directing the closure of the website and telephone support line established for this Settlement upon entry of the order.

6. Upon the clearance of the remaining funds from the Bollenbach Settlement Account, Class Representative also requests the Court direct the closure of this Class Lawsuit and the release of the Settlement Administrator JND Legal Administration, Inc. from further duties of administration. The Settlement Administrator has administered this Settlement in accordance with the Settlement Agreement and orders of the Court. When the foregoing distributions occur and when the website and telephone support line are closed, the Settlement Administrator will have no further duties with respect to the administration of this Settlement. Accordingly, the Settlement Administrator should be expressly released from any further duties with respect to the Settlement.

7. Pursuant to the Court's Order Approving Class Action Settlement and Final Judgment [Doc. 58], all claims herein against Defendants have been dismissed with prejudice. Doc. 58 at ¶ 10. Accordingly, Defendants take no position on this motion.

A proposed order directing the distribution in accordance with the foregoing table, the closure of the website and telephone support line established for this Settlement, and release of the Settlement Administrator from further duties with respect to the administration of the Settlement will be submitted for the Court's consideration.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of October 2018, a true and correct copy of the foregoing document was delivered via the ECF system to the following counsel of record:

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